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Via ECF

Honorable Alison J. Nathan
United States Courthouse
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Lee v. B&Z Auto Enterprises, L.L.C.*
SDNY Case No. 1:19-CV-07450 (AJN)

Dear Judge Nathan:

The parties are submitting the following letter in accordance with the Court's Order, dated August 29, 2019 (#6).

This is an action brought as a putative class action under the federal Truth in Lending Act ("TILA"), 15 U.S.C. § 1601, *et seq.* The plaintiff alleges that the defendant car dealership charged her and the class members a fee that was incidental to the extension of credit. She further alleges that the defendant disclosed that fee as part of the amount financed rather than as a finance charge in making the disclosures under TILA. The defendant denies that the charge was incidental to the extension of credit and further denies that it regularly made such disclosures to a sizeable class of other consumers.

Jurisdiction is asserted under 15 U.S.C. § 1640 and 28 U.S.C. § 1331. Venue is proper because the defendant dealership is located in this district.

There are no outstanding motions or requests to file motions.

The parties have not yet engaged in any discovery. For the parties to engage in meaningful settlement discussions, discovery will be necessary regarding the defendant's practices as alleged in the complaint.

The estimated length of trial will depend upon whether the case proceeds as a class action. If it does not, then trial will likely take one day. Otherwise, the trial will require three days.

With respect to additional information that the parties believe might assist the Court in resolving this action, the parties were unable to agree upon appropriate deadlines for discovery when they held the Rule 26(f) Conference. The earlier listed dates on the draft order are proposed by the plaintiff and the later dates are proposed by the defendant.

Respectfully,

/s/ Brian L. Bromberg
Brian L. Bromberg
Attorney for Plaintiff

Respectfully,

/s/ Scott H. Mandel
Scott H. Mandel
Attorney for Defendant